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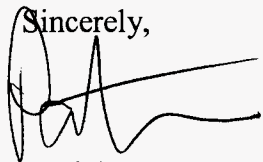
Re: WC Docket No. 01-92

VIA ECFS

Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, S.W.
Washington, DC 20554

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, this will provide notice that John Sumpter, Vice President, Regulatory Affairs, PacWest Telecomm, Inc. and the undersigned met on October 13, 2005 with Tamara Preiss, Jay Atkinson, and Randolph Clarke concerning issues in the above-captioned proceeding. We presented the views set forth in the attached document which was provided at the meeting.

Sincerely,

Patrick J. Donovan



Phantom Traffic

What is “Phantom Traffic?”

- If a call is handed off from a carrier to the “terminating” carrier and:
 - a) There is not enough information in the SS7 call-record to identify the originating carrier and as a result, intercarrier compensation can’t be billed, or
 - b) The information in the SS7 call-record points to the wrong originating carrier and intercarrier compensation can’t be billed,

Then the call is Phantom Traffic

What are the characteristics of “Phantom Traffic?”

- a) There are at least two carriers exchanging the traffic, and the call is handed off from one carrier (the “sending carrier”) to the terminating carrier
- b) The “sending” carrier is not the originating carrier,
- c) The call data is missing the “**Charge Number**” so the terminating carrier is unable to identify the responsible originating carrier or,
- d) The data in the SS7 message appears to identify an originating carrier, but that carrier demonstrates that the call did not originate on its network

What is not “Phantom Traffic?”

- SS7 message contains valid Charge Number
- Database analysis correctly identifies the originating carrier (LERG, NPAC)
- The originating carrier accepts responsibility for paying terminating intercarrier compensation when billed by the terminating carrier (but might dispute the rate applied to the traffic)

Rate disputes are not phantom traffic

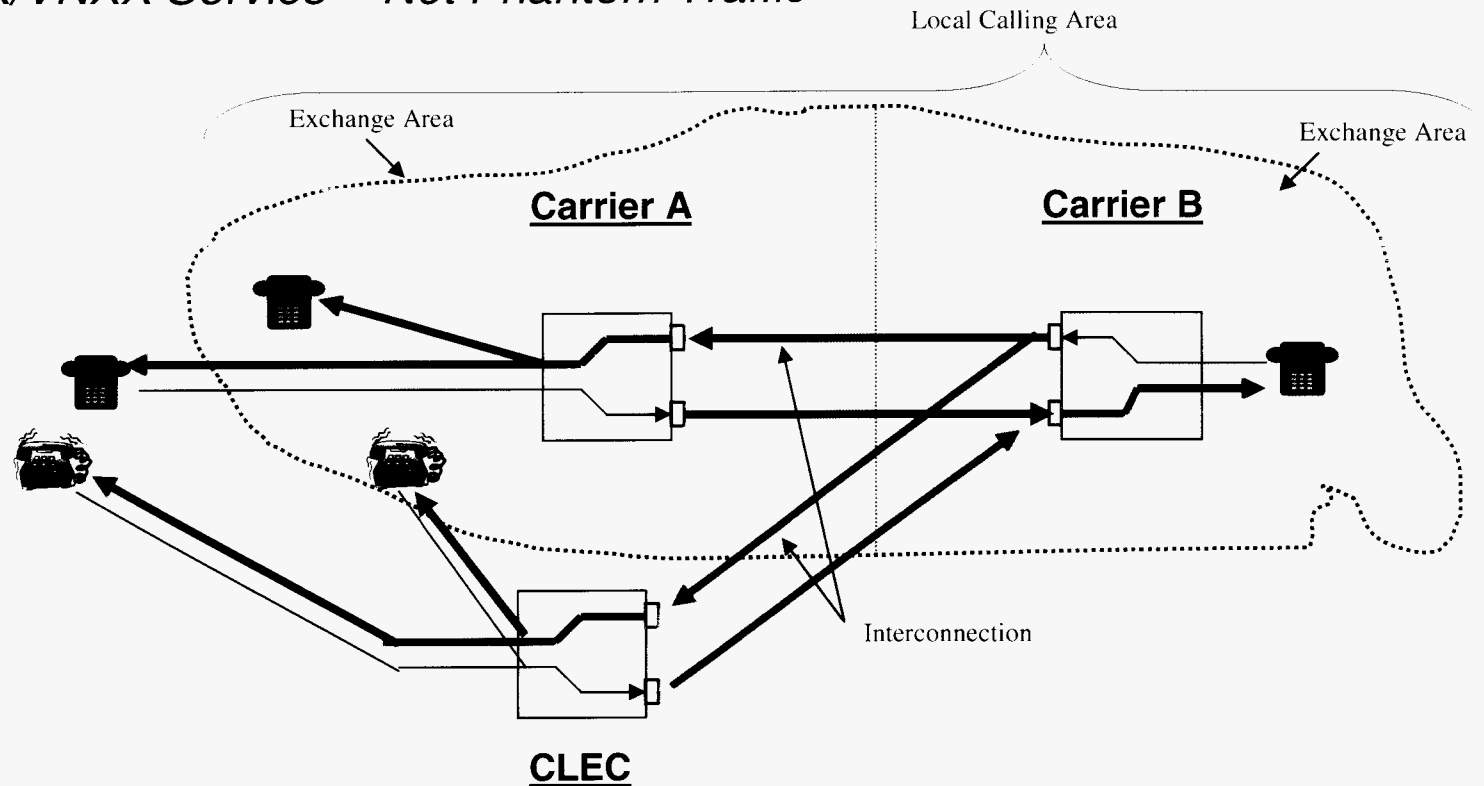
Favorite Examples of Phantom Traffic

- Transit/sending carrier passes traffic w/o complete call data (is it really transit traffic?)
- UNE-P traffic passed from ILEC to terminating carrier w/o call data needed to identify originating UNE carrier
- IntraLATA 800 traffic pointed at terminating carrier's POTs number w/o permission of terminating carrier
- Traffic from roaming cell phone user
- Originating carrier refuses responsibility for traffic (“We don’t care what the SS7 record says, it’s not our traffic” or “it’s bill and keep”)

Fixes for real phantom traffic:

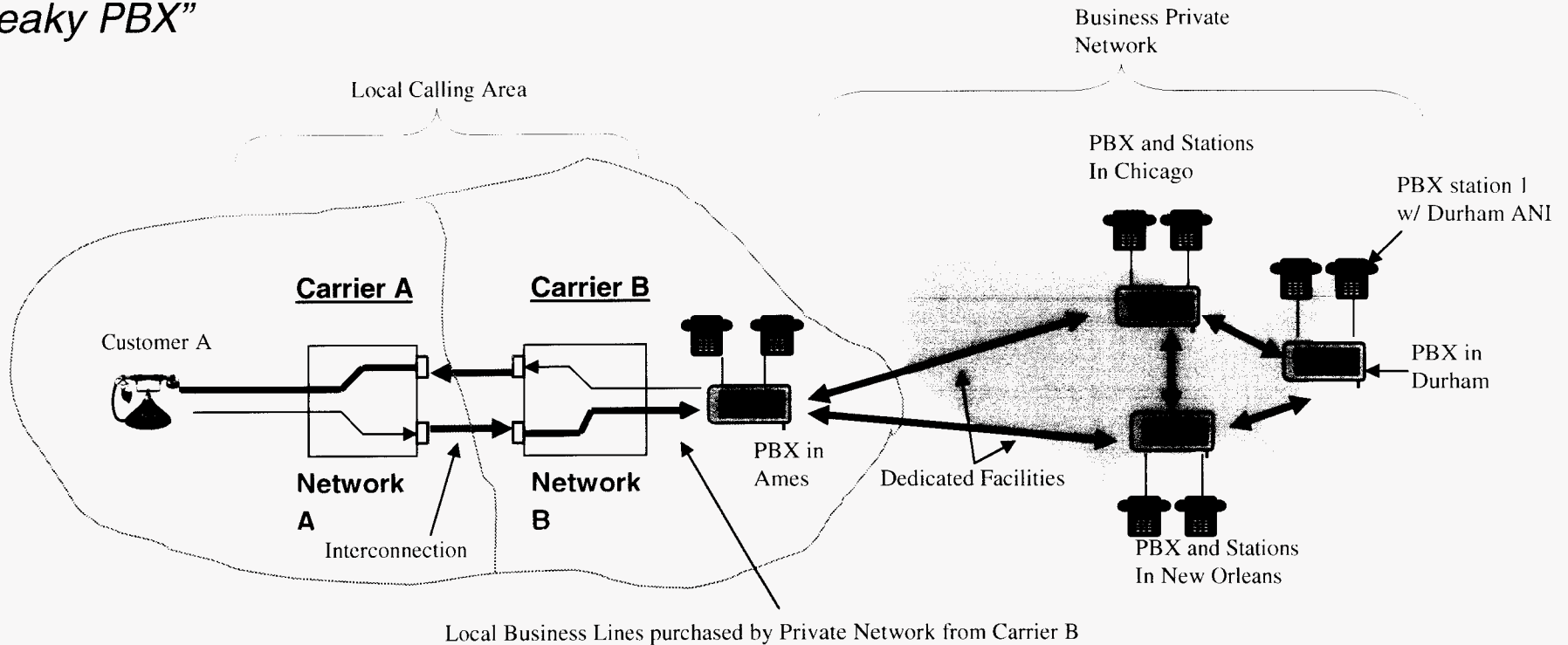
- First, establish uniform compensation rate to end “rate disputes”
- Second, if traffic is delivered to a terminating carrier w/o call record data sufficient to identify originating carrier, then the sending carrier is to act as the originating carrier
- Third, allow and enforce call-termination tariffs as the appropriate vehicle for 251(b)(5) traffic exchanged in the absence of an ICA – it works for 251(g) traffic (rates approved by state commissions)
- Fourth, require the “proximate” CMRS carrier (the CMRS carrier serving a non-native roaming customer) to act as the originating carrier for calls made by the roaming customer
- Fifth, the 8XX SMS-database administrator (AKA the RBOCs) must require RespOrgs to obtain an LOA from a LEC before allowing the RespOrg to “point” an 8XX number at a POTs number served by the LEC

FEX/FX/VNXX Service – Not Phantom Traffic



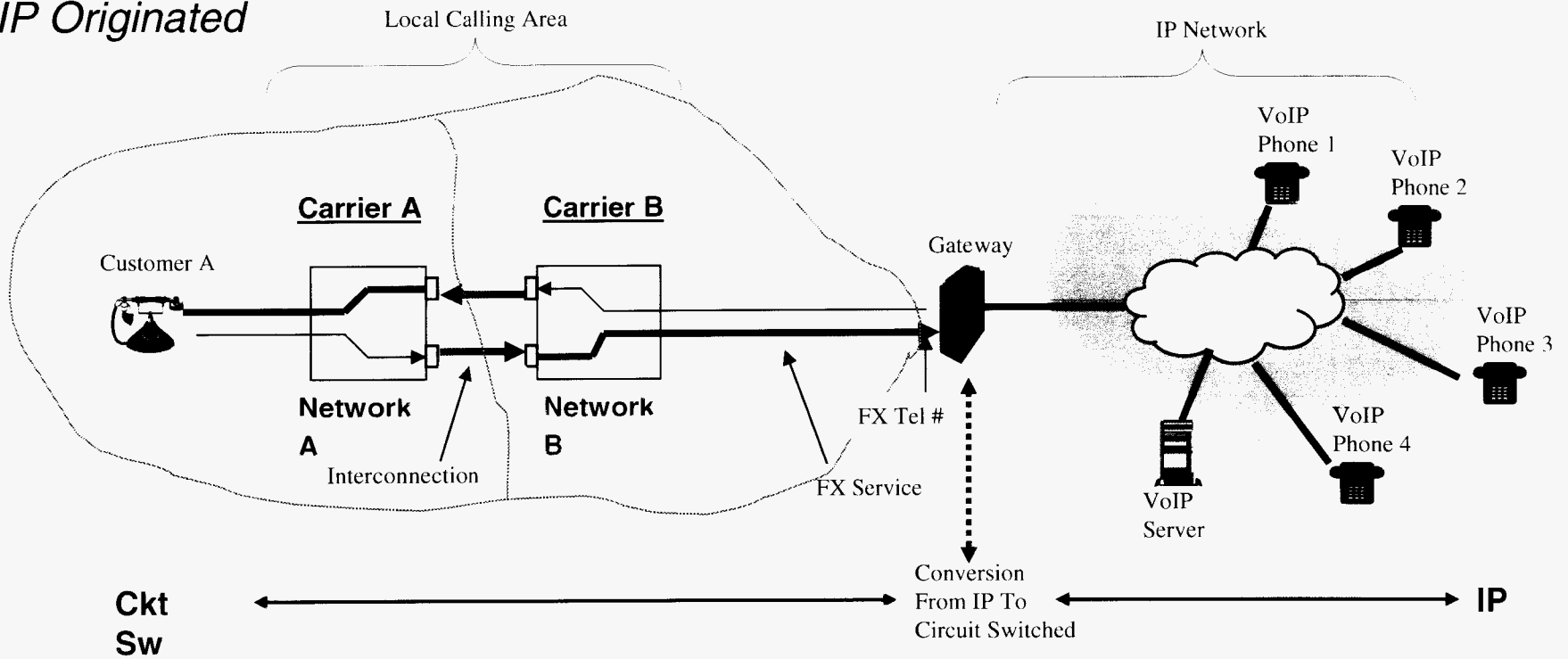
	Term	Definition
	Foreign Exchange Service (FEX or FX or VNXX) provided by a CLEC	<p><i>Foreign Exchange Service</i> is local service to a customer where the hand-off occurs outside the geographic boundaries of the exchange associated with the NPA-NXX used to provide the service</p> <p>In this example, all five customers in the example above have telephone numbers assigned to the same local calling area. Calls between these three customers are rated as local calls to the calling customer.</p> <p>Prior to the 96 Act, calls between ILEC FX customers were treated as local calls. Access charges were not assessed by either ILEC against the other ILEC.</p>

“Leaky PBX”



	<i>Term</i>	<i>Definition</i>
	Off-net Traffic from a private network (“Leaky PBX”)	<p>A large business may have its own multi-state network for internal communications (SP Railroad or Boeing Aircraft are two past examples). The business will also purchase local business lines from a LEC. Each switch in the private network is able to interconnect the private network with the business line – the leaky PBX.</p> <p>In this example, a station in Durham – with a Durham telephone number – can call the Ames PBX “on-net,” then access a business line with an Ames telephone number to call an “off-net” party in Ames. The “call detail record” will identify the calling number as the PBX’s Ames telephone number.</p>

VoIP Originated



	<i>Term</i>	<i>Definition</i>
	VoIP originated	<p>In this example, a VoIP service provider sells VoIP service to “end-users” (blue phones). Each VoIP phone has a telephone number (to receive calls). The VoIP service provider uses a gateway to convert IP to Circuit-Switched and back. The VoIP service provider buys FX service from LEC B, using the gateway as the CPE for the FX service.</p> <p>If VoIP customer “3” dials customer “A,” the gateway uses the FX service to initiate a local call. The call is exchanged between Carrier B and Carrier A over local interconnection trunks as a local call. Carrier B owes carrier A reciprocal compensation. Variations might include 1) a “transit carrier” between the gateway and Carrier B , or 2) a carrier providing the gateway function.</p>